

CLERK'S OFFICE U.S. DIST. COURT AT ROANOKE, VA FILED
JUL 12 2007
JOHN F. CORCORAN, CLERK BY: Linda Brugh DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

BARRY LEE HODGES, )  
Petitioner, ) Civil Action No. 7:07cv00156  
)  
v. ) FINAL ORDER  
)  
COMMONWEALTH OF )  
VIRGINIA, ) By: Hon. James C. Turk  
Respondent. ) Senior U.S. District Judge

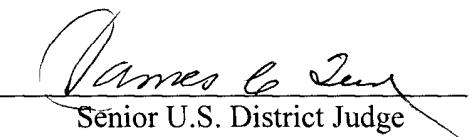
In accordance with the Memorandum Opinion entered this day, it is hereby

**ADJUDGED and ORDERED**

that respondent's motion to dismiss shall be and hereby is **GRANTED**; Hodges' petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 shall be and hereby is **DISMISSED**; and this case shall be **STRICKEN** from the active docket of the court.

The Clerk of the Court is directed to send a copy of this Order and accompanying Memorandum Opinion to the petitioner *and respondent*.

ENTER: This 11<sup>th</sup> day of July, 2007.

  
James C. Turk  
Senior U.S. District Judge